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7 IN THE UNITED STATES DISTRICT COURT  
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 IN RE BEXTRA AND CELEBREX  
12 MARKETING, SALES PRACTICES AND  
13 PRODUCT LIABILITY LITIGATION,  
14 \_\_\_\_\_ /

No. MDL 05-01699 CRB

**ORDER RE: MOTION TO  
WITHDRAW AS COUNSEL AND FOR  
PLAINTIFF TO SHOW CAUSE**

15 This document relates to:  
16 John Malatesta, 06-2405 CRB  
17 \_\_\_\_\_ /

18 Now pending for decision is the motion of the law firm of Gruber & Gruber and the  
19 Law Offices of Howard A. Snyder to withdraw as counsel for plaintiff John Malatesta. After  
20 carefully considering the motion, and the supporting affidavit, the Court ORDERS  
21 PLAINTIFF TO SHOW CAUSE as to why (1) counsels' motion to withdraw should not be  
22 granted; and (2) plaintiff's lawsuit should not be dismissed for a lack of prosecution. See  
23 Fed. R. Civ. P. 41. If plaintiff wishes to contest the withdrawal of counsel and/or dismissal  
24 of the plaintiff's lawsuit for failure to prosecute, plaintiff shall notify the Court in writing on  
25 or before June 22, 2007 of the reasons the withdrawal should not be granted or the case  
26 dismissed. In particular, if plaintiff wishes to proceed with this action, he shall advise the  
27 Court of the name and address of his new counsel or, if he will be representing himself, he  
28 must advise the Court of his current contact information. Plaintiff is warned that

1 his failure to communicate with the Court in writing as set forth above may result in  
2 dismissal of his action with prejudice.

3 **IT IS SO ORDERED.**

4 Dated: June 4, 2007  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE